

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

IN RE:

ROBERT L. SCOTT  
AKA BOB SCOTT  
DBA GEORGIA-LINA LAND  
MANAGEMENT, INC.  
LETITIA C. SCOTT  
AKA TISH SCOTT  
DEBTOR(S)

CASE NO: 10-30033-RFH

CHAPTER 13

ROBERT L. SCOTT  
AKA BOB SCOTT  
DBA GEORGIA-LINA LAND  
MANAGEMENT, INC.  
LETITIA C. SCOTT  
AKA TISH SCOTT  
MOVANT(S)

VS.

CAPITAL ONE BANK (USA), N.A.  
RESPONDENT

NOTICE

TO: CAPITAL ONE BANK (USA), N.A.

ROBERT L SCOTT AND LETITIA C. SCOTT HAVE FILED PAPERS WITH THE  
COURT TO AVOID YOUR JUDGMENT LIEN.

**YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS  
CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE  
IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY  
WISH TO CONSULT ONE.)**

IF YOU DO NOT WANT THE COURT TO AVOID YOUR LIEN, OR IF YOU WANT

THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN OBJECTION TO THE MOTION ON OR BEFORE FEBRUARY 4, 2010.


IF YOU DESIRE TO FILE A RESPONSE YOU MUST TRANSMIT IT TO THE COURT FOR FILING, AND YOU MUST TRANSMIT IT EARLY ENOUGH SO THAT THE COURT WILL **RECEIVE** IT ON OR BEFORE THE DATE STATED ABOVE.

IF NO OBJECTION IS FILED, THEN THE RELIEF SOUGHT IN THE DEBTORS' MOTION MAY BE GRANTED BY THE COURT. IF YOU FILE AN OBJECTION TO THE DEBTORS' MOTION, THEN YOU AND/OR YOUR ATTORNEY MUST ATTEND THE HEARING ON THE DEBTORS' MOTION AND YOUR OBJECTION. **YOU MUST BOTH FILE AN OBJECTION AND ATTEND THE HEARING ON THE DEBTORS' MOTION IF YOU WISH TO BE HEARD ON THIS MATTER.**

THE HEARING ON THE DEBTORS' MOTION AND ANY OBJECTION TO THE MOTION SHALL BE HELD ON FEBRUARY 17, 2010 AT 1:30 P.M. IN U.S. COURTROOM-ATHENS, U.S. POST OFFICE BUILDING, 115 E. HANCOCK AVENUE, ATHENS, GA.

ANY OBJECTION/RESPONSE MUST ALSO BE TRANSMITTED TO THE DEBTOR(S), THE UNDERSIGNED ATTORNEY FOR THE DEBTOR(S) AND THE CASE TRUSTEE.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY  
DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND  
MAY ENTER AN ORDER GRANTING THAT RELIEF.

  
/s/ LEE P. MORGAN  
LEE P. MORGAN  
ATTORNEY FOR MOVANT(S)  
STATE BAR NO: 522850

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

IN RE:

Robert L. Scott  
aka Bob Scott  
dba Georgia-lina Land Management, Inc  
Letitia C. Scott  
aka Tish Scott  
Debtor(s)

Case No: 10-30033-RFH

Chapter 13

Robert L. Scott  
aka Bob Scott  
dba Georgia-lina Land Management, Inc  
Letitia C. Scott  
aka Tish Scott  
Movant(s)

vs.

Capital One Bank (USA), N.A.  
Respondent

MOTION TO AVOID LIEN

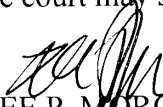
NOW COME the Debtor(s) in said matter and in support of their Motion shows the Court the following, to wit:

1. Prior to the filing of the Debtor(s) Petition for relief, the Respondent obtained a money judgment against the Debtors(s) in the Superior Court of Elbert County, Georgia, case number 09-EV-753H.

2. Said judgment constitutes a judicial lien on the real and personal property of the Debtor(s).

3. The existence of said creditor's lien on said real and personal property impairs exemptions to which the debtor(s) would be entitled under Georgia Law.

WHEREFORE, the debtor(s) moves this court to enter an order cancelling and avoiding said judicial lien on debtor(s) real and personal property upon **discharge of Debtor(s) Chapter 13 bankruptcy**, and for such other and further relief as the court may seem just and proper.

  
/s/ LEE P. MORGAN  
LEE P. MORGAN  
Attorney for Debtor(s)  
State Bar No: 522850

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

In the Matter of:

Robert L. Scott  
aka Bob Scott  
dba Georgia-lina Land Management, Inc  
Letitia C. Scott  
aka Tish Scott  
Debtor(s)

Case No: 10-30033-RFH

Chapter 13

CERTIFICATION OF SERVICE

I, named below, certify that I am, and at all times hereinafter mentioned was, more than 18 years of age, and that on the 11<sup>th</sup> day of January, 2010, I served a copy of the within Motion and Notice on the party (parties) against whom relief is sought, namely:


Capital One Bank (USA), N.A.  
ATTN: PRESIDENT AND MANAGING  
AGENT

Tony Coy  
Office of the Chapter 13 Trustee

by (here describe mode of service)  
U.S. Mail  
the said party at (give complete address)

By ECF

c/o Dennis E. Henry  
Frederick J. Hanna & Associates, PC  
1427 Roswell Road  
Marietta, GA 30062

  
/s/ LEE P. MORGAN  
LEE P. MORGAN  
Attorney for Debtor(s)  
State Bar No: 522850  
Address: 1090-C FOUNDERS BLVD  
ATHENS, GA 30606  
Telephone: (706)548-7070

Date: 1/11/10